

February 9, 1993

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The Honorable James Quello, Commissioner
Federal Communications Commission
1919 M Street NW
Washington, DC 20554

RE: MM Docket No. 92-265, Program Access

Dear Mr. Quello:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the General Manager of Blachly-Lane County Cooperative Electric Association, a consumer-owned, not-for-profit rural utility that provides electric service to approximately 3,000 consumers in the rural area of Lane County. In our part of Oregon, there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it...a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandable pleased and hopeful that the discrimination would stop.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue. And it is completely unnecessary; it costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each of my satellite TV-watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Oregon, I hope your final rule fulfills this obligation.

Sincerely,

James P. Ramsey
James P. Ramsey
General Manager

JPR/kh

cc: Office of the Secretary, FCC

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